#### **REMARKS**

## I. Status of Claims

Claims 1 and 3-9 are pending in the application. Claim 1, 8, and 9 are independent. Claims 1 and 8 are currently amended.

The Office Action objects to claims 4-6 as being dependent upon a rejected base claim, but indicates that they would be allowable if rewritten in independent form including all of the limitations of their base claims and any intervening claims.

Claim 9 is allowed.

Claims 1-3, 7, and 8 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Morinaga et al. (USP 6,830,043) ("Morinaga") in view of Gottberg (USP 5,809,773) ("Gottberg").

The Applicant respectfully requests reconsideration of these rejections in view of the foregoing amendments and the following remarks.

## II. Allowable Subject Matter

The Office Action objects to claims 4-6 as being dependent upon a rejected base claim, but indicates that they would be allowable if rewritten in independent form including all of the limitations of their base claims and any intervening claims.

Claim 9 is allowed.

#### III. Applicant's Statement of Substance of Examiner Interview

In compliance with M.P.E.P. 713.04, the Applicant provides this Statement of Substance of Interview concerning the personal interview conducted on March 13, 2009, between Primary Examiner Nguyen and Daniel G. Shanley.

- (A) Exhibits. N/A.
- (B) <u>Claims</u>. Independent claims 1 and 8.
- (C) Prior art. Morinaga and Gottberg.
- (D) <u>Amendments</u>. Proposed amending claims 1 and 8 to clarify that the controller limits an amount of air introduced into a cylinder via an intake manifold of the internal combustion engine.
- (E) Principal arguments of Applicant. Gottberg merely discloses to control an air pump (13)

in such a manner that the excess of oxygen in an exhaust gas is decreased step by step in order to optimize the purification efficiency of the catalysts (4, 5). *See* col. 4, lines 42-54, of Gottberg. In contrast to Gottberg, certain embodiments of the present invention reduce the amount of air introduced into the engine (i.e., the intake manifold of the engine) when failure in the secondary air supply apparatus is detected.

- (F) Other matters. N/A.
- (G) <u>Results</u>. Agreement was reached that the Applicant's proposed amendments render claims 1 and 8 allowable over the prior art of record pending further search and/or consideration.

## IV. Independent Claims 1 and 8

Independent claims 1 and 8 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Morinaga in view of Gottberg.

The Applicant respectfully submits that claim 1 is patentable over the Morinaga and Gottberg at least because it recites, *inter alia*, "...a controller that *limits an amount of air introduced into a cylinder via an intake manifold of the internal combustion engine to a predetermined amount when failure in the secondary air supply apparatus is detected by the detector..." and "...wherein the controller reduces the amount of the air introduced into the cylinder via the intake manifold of the internal combustion engine to the predetermined amount in <i>a stepwise manner*." (emphasis added)

The Applicant respectfully submits that claim 8 is patentable over Morinaga and Gottberg at least because it recites, inter alia, "...a step of limiting an amount of air introduced into a cylinder via an intake manifold of the internal combustion engine to a predetermined amount when failure in the secondary air supply apparatus is detected in the step of detecting failure..." and "...wherein in the step of limiting the amount of the air introduced into the cylinder via the intake manifold of the internal combustion engine to the predetermined amount, the air is reduced in a stepwise manner." (emphasis added)

In certain embodiments of the present invention, when failure in the secondary air supply apparatus is detected, the amount of the air introduced into the cylinder(s) via the intake

# GENERAL

1.	Belgium favors membership of Greece and Turkey in NATO:	
25X1A	A Belgian Foreign Office official has informed the US Ambassador in Brussels that, on balance, Belgium feels that Greece and Turkey should become NATO members. Although Belgium wishes first to	
<u>.</u>	have fuller understanding of the views of other countries and the risks involved, Belgium does not consider the fear of Soviet reaction to Greek and Turkish membership in NATO as a valid reason for opposition in view of the defense commitments already undertaken by Western Europe.	
	Comment: Belgian support of the US position is an indication of a definite break in the opposition to Greek and Turkish membership in NATO on the part of the small countries of Western Europe. The Netherlands, which has been speaking for the small countries, has indicated a possible modification of its opposition if the importance of Greece and Turkey in the defense of the Mediterranean is spelled out.	
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7.	Egyptians dissatisfied with British attitude on current issues:
25X1A	According to US Ambassador Caffery in Cairo, the Egyptian Foreign Minister is not pleased with (a) the
	UK attitude regarding the transit of tankers through the Suez Canal, and (b) the current situation regarding
	Anglo-Egyptian defense negotiations.  The Egyptian Foreign Minister re-
	ceived the British protest on the blocking of oil tankers through the Suez Canal coldly and said that the Egyptian Government had

25X1

of the British failure to reply on the defense negotiations, the Egyptian Foreign Minister indicated to Caffery that he was in "despair" and sees only trouble ahead.

Comment: There is no indication

no intention of changing its policy in that respect. As a result

that the Arab determination to prevent oil from reaching Haifa has weakened; British representations on this subject will only exacerbate already strained Anglo-Egyptian relations.

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#### EASTERN EUROPE

8. Czech police increase activity against Western news agencies:

25X1A

US Ambassador Briggs in Prague has been notified by his French colleague that the Acting Chief of the Agence France Presse, a Czech national, has

been arrested. Increased police activity against the Czecho-slovak employees of the United Press and Reuters News agencies is evident, as well. Briggs interprets this activity as an attempt to intimidate Western correspondents into leaving Czechoslovakia or at least into refraining from reporting material unfavorable to the Communist regime. He points out, however, that the Czechoslovak Government may be preparing to arrest other foreign correspondents as accomplices of the recently arrested US correspondent, William Oatis.

## WESTERN EUROPE

9. West German leaders disappointed over Council of Europe session:

25X1A

West German delegates to the recent Council of Europe meeting in Strasbourg have indicated their general disappointment with the failure of

the Council to achieve concrete results. They are now convinced that Britain is unwilling to join a United Europe and that, without England, French support is at best lukewarm. Leaders of the German government coalition were, however, pleased with the positive action of the Council in endorsing the Schuman Plan, and want to proceed with rapid ratification of the Plan in Bonn in order to give new impetus to the European movement. Meanwhile the opposition Social Democrats have criticized the Council session and its endorsement of the Schuman Plan as inconclusive.

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enthusiasm over achieving equal status in the Council of Europe has apparently waned as a result of the recent Council session. The German government leaders still feel, however, that the Council can provide a good opportunity for increased German influence in Western European affairs, and they will continue to press for the creation of an effective European Parliament within the Council structure.

# 10. French Communists gain in municipal elections:

25X1A

French Communist Party lists were returned with outright majorities in two municipal elections in the Paris region on 27 May.

Although both elections occurred in traditional Communist strongholds, it is noteworthy that in each case Communist candidates registered an increase over the previous municipal election figures, jumping from 43 percent to 54 percent in one instance. Communist propaganda is pointing out that the French Communist Party is now capable of achieving a flat majority and thereby winning all seats in the departments where it secured 40 percent of the 1946 vote. The US Embassy in Paris comments that in 1946 Communist candidates secured 40 percent of the popular vote in only two departments.

"Red Belt" give little basis for an estimate of the national strength of the Communists, these results bear out recent reports that the party is recouping its earlier losses. Inflation and successful strike activity have re-established Communist prestige in working-class communities, and can be expected to counteract the effects of electoral reform and limit French Communist Party losses in the June national elections.

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# INFORMATION RECEIVED JUST PRIOR TO PUBLICATION

# Viet Minh Offensive in southern Tonkin:

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US Consul Blancke in Hanoi reports that the anticipated Viet Minh offensive in the southern Tonkin delta apparently has begun. A reported Viet Minh version of the offensive

states that "some 20" rebel battalions have attacked the French defense perimeter at Ninh Binh, 50 miles south of Hanoi. Blancke reports observing strong French troop reinforcements and air support being sent to the battle area on 29 May.

Comment: Previous reports had predicted an offensive in the Ninh Binh area during the last week in May with the objective of capturing rice stores and the rice-producing land east of Ninh Binh. The average strength of a Viet Minh battalion is 500-800; thus the attack could involve as many as 16,000 men. Earlier evidence of the deployment of three Viet Minh divisions opposite the southern perimeter, coupled with the alleged commitment of 20 battalions indicates that the Viet Minh may have launched one of its largest offensive efforts to date.